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12 6/27/06
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AMENDMENT TO H.R. 5682
OFFERED BY MR. SCHIFF OF CALIFORNIA

In section 3(b), add at the end the following new paragraph:

- 1 (6) Pending implementation of a multilateral
2 moratorium, encourage India not to increase its pro-
3 duction of fissile material at unsafeguarded nuclear
4 facilities.

In section 4(c)(2), add at the end the following new subparagraph:

- 5 (I) A description of the steps taken to en-
6 sure that proposed United States civil nuclear
7 assistance to India will not directly, or in any
8 other way, assist India's nuclear weapons pro-
9 gram, including—
10 (i) the use of any United States
11 equipment, technology, or nuclear material
12 by India in an unsafeguarded nuclear facil-
13 ity or nuclear-weapons related complex;
14 (ii) the replication and subsequent use
15 of any United States technology in an
16 unsafeguarded nuclear facility or



1 unsafeguarded nuclear weapons-related
2 complex, or for any activity related to the
3 research, development, testing, or manu-
4 facture of nuclear explosive devices; and

5 (iii) the provision of nuclear fuel in
6 such a manner as to facilitate the in-
7 creased production of highly-enriched ura-
8 nium or plutonium in unsafeguarded nu-
9 clear facilities.

 In section 4(o)(2), add at the end the following new
subparagraph:

10 (C) UNSAFEGUARDED NUCLEAR FACILI-
11 TIES.—The report described in subparagraph
12 (A) shall also include (in a classified form if
13 necessary) a description of whether United
14 States civil nuclear assistance to India is di-
15 rectly, or in any other way, assisting India's nu-
16 clear weapons program, including—

17 (i) the use of any United States
18 equipment, technology, or nuclear material
19 by India in an unsafeguarded nuclear facil-
20 ity or nuclear-weapons related complex;

21 (ii) the replication and subsequent use
22 of any United States technology in an
23 unsafeguarded nuclear facility or

1 unsafeguarded nuclear weapons-related
2 complex, or for any activity related to the
3 research, development, testing, or manu-
4 facture of nuclear explosive devices; and
5 (iii) the provision of nuclear fuel in
6 such a manner as to facilitate the in-
7 creased production of highly-enriched ura-
8 nium or plutonium in unsafeguarded nu-
9 clear facilities.



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AMENDMENT TO H.R. 5682

OFFERED BY MS. BERKLEY OF NEVADA

New Section 3 (6):

(6) To ensure that spent fuel generated in India's civilian nuclear power reactors is not transferred to the United States except pursuant to the Congressional review procedures required under section 131 (f) of the Atomic Energy Act.



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AMENDMENT TO H.R. 5682
OFFERED BY MS. BERKLEY OF NEVADA

In section 4(o), add at the end the following new paragraph:

1 (3) DISPOSAL OF SPENT NUCLEAR FUEL.—Not
2 later than one year after the date on which an
3 agreement for nuclear cooperation between the
4 United States and India is approved by Congress
5 under section 4(f) and every year thereafter, the
6 President shall submit to the Committee on Inter-
7 national Relations of the House of Representatives
8 and the Committee on Foreign Relations of the Sen-
9 ate a report describing the ~~expended~~ disposal of
10 spent nuclear fuel from India's civilian nuclear pro-
11 gram.



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AMENDMENT TO H.R. 5682
OFFERED BY MR. SHERMAN OF CALIFORNIA

On Page 10, Line 17, after "NSG" insert "and such decision does not permit civil nuclear commerce with any other non-nuclear weapons state that does not have IAEA safeguards on all nuclear materials within its territory, under its jurisdiction, or carried out under its control anywhere."

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**AMENDMENT TO H.R. 5682
OFFERED BY MR. ROYCE OF CALIFORNIA**

Section 4(d), insert before paragraph (1) the following new paragraph (and redesignate subsequent paragraphs accordingly):

IN GENERAL. – Pursuant to the obligations of the United States under Article I of the NPT, nothing in this Act, or any agreement pursuant to this Act, shall be interpreted as permitting any civil nuclear cooperation between the United States and India that would in any way assist, encourage, or induce India to manufacture or otherwise acquire nuclear weapons or nuclear explosive devices.

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AMENDMENT TO H.R. 5682**OFFERED BY MR. CROWLEY OF NEW YORK**

In section 4(o), add at the end the following new paragraph:

- 1 (3) NEW NUCLEAR REACTORS OR FACILITIES.—
- 2 Not later than one year after the date of the enact-
- 3 ment of this Act and annually thereafter, the Presi-
- 4 dent shall submit to the Committee on International
- 5 Relations of the House of Representatives and the
- 6 Committee on Foreign Relations of the Senate a re-
- 7 port describing any new nuclear reactors or nuclear
- 8 facilities that the Government of India has des-
- 9 ignated as civilian and placed under inspections or
- 10 has designated as military.

